

SPECIAL MEETING
January 22, 2014

The Wethersfield Town Council held a joint special meeting with the Board of Education and the School Building Committee on Wednesday, January 22, 2014 at 6:00 p.m. in the Council Chambers, 505 Silas Deane Highway, Wethersfield.

Present: Councilors Hemmann, Hurley, Kotkin, Martino, Rell, Roberts, Deputy Mayor Berry, and Chairperson Montinieri. Absent: Councilor Manousos.

Also present:

Board of Education Members: Charles Carey, John Cascio, Matthew Forrest, Jodi Latina, Tracey McDougall, Polly Moon, Vice Chairperson Steinmiller-Paradise, Chairperson DeAngelo.
Absent: John Morris

Building Committee Members: J. Edward Brymer, Jr., David Drake, Daniel A. Camilliere, Christine Fortunato, Chairman, Peter Gardow, Diane Fitzpatrick, Frank Dellaripa.

Superintendent Michael Emmett, Thomas Moore, Principal Wethersfield High School, Fred Bushy, Director Maintenance & Operations, Mike Turner, Town Engineer, Lori Schroll, Administrative Analyst, Sally Katz, Director Physical Services, Fire Marshall Dignoti, Rusty Malik – Quisenberry Association, Mark Jefko, O&G, Lorel Purcell, O&G, Jeff Bridges, Town Manager and Dolores G. Sassano, Town Clerk.

Mayor Montinieri called the meeting to order and announced that the meeting is to update the status of high school renovation project. He then turned the meeting over to the Building Committee.

Ms. Fortunato asked everyone to introduce themselves at the meeting.

Ms. Fortunato explained this is an update presentation for the Council on the status of the high school renovation project. She stated some bid results coming in have budget considerations and they want to share information with everyone. They are going to talk about the project costs, the variance from the referendum, the contract status of alternates, space, standard waiver and options moving forward. Ms. Fortunato then introduced Lorel Purcell from O&G Associates to the podium.

Ms. Purcell explained where we are to date, and the Original Project Cost (referendum approved amount of \$74,816,617). The Post Bid Project Cost came in at \$85,170,143. We have been undertaking a massive value engineering effort. She explained that immediately when the bids came in, they started speaking with the apparent low bidders. They did joint scope reviews and value engineering at the same time. They had set a goal of what they were trying to do and an amount they were trying to get out of value engineering so that everybody can come to the table with as many ideas as possible. She stated with the list as of today, we have 119 items that are

under consideration that will be discussed at the Building Committee meeting Monday night. As of today, dollars we have that are fixed, there are many more we are waiting to come in, are at \$1,350,000. The projected costs to date on the renovation, which includes this value engineering, is \$83,820,143 so the overall variance from the referendum is \$9,003,526 but the variance with the alternates is a little more than \$10,000,000. She stated they wanted to bring everybody up-to-date with where the bids have come in and this is where we are at as of today.

Ms. Fortunato commented on an inaccurate figure that was reported in the newspaper and explained that it might have been due to some information that may have come from an earlier meeting. She explained they have been going through this value engineering exercise for several weeks now and this is the number she is confident the Building Committee will approve. She stated Lorel's goal is to achieve, at least another \$1,000,000 through value engineering. Ms. Fortunato explained the Committee will not accept those changes if it impacts programs, the integrity of the project, and we have the maintenance of the facility so there are various considerations. They just don't accept the value engineering items lightly. They have a committee of Board of Education staff and the Building Committee representatives meeting with our consultant and also with our fire and building officials. Fire Marshal Dignoti is here this evening and has participated in the process so we do not compromise safety in any way.

Councilor Kotkin asked if the \$1.35 million has already been accepted and implemented. Ms. Purcell responded no. It is not accepted there is a meeting on Monday night on that. Councilor Kotkin asked as well as other changes that were made a while ago which differed from the original design, but that's not reflected, such as the geothermal, in this. Ms. Fortunato responded no that is not part of this, and again, this value, the committee had discussion and we have a good consensus we can accept these items officially on Monday, but there are possibly additional items you are waiting for. Ms. Purcell commented that she is waiting for certain trades to give her some dollars.

Councilor Hurley asked if we will get a list of all of these items. Ms. Fortunato responded that you should all have the value engineering list.

Mike Turner explained that staff posted that on the Wethersfield.net account.

Mr. Bridges responded that he will make sure that everybody has it.

Ms. Purcell explained that they have prepared a narrative and will be presenting it to the Building Committee for final approval on Monday, but just want to go over some excerpts of that narrative because we put together a five-page description with what happened with the reason for the overage. She explained the conception estimates are based on historical data from similar projects in an attempt to cover all normal costs. In some instances, assumptions made for the Wethersfield High School Referendum budget varied from the end project. It is normal for plans to expand in scope as design progresses and for unknown problems to arise during the preconstruction phase. She commented that the Wethersfield High School project team worked diligently to mitigate cost impacts wherever possible but Wethersfield, unfortunately, was hit by

multiple major issues not known at the time of referendum and these categories are pretty much representing what happened after referendum.

Ms. Purcell explained that the biggest hit was the hazmat and trying to deal with the additional PCBs that we encountered in the building. She explained that they did their due diligence prior to referendum by testing what was considered typical sampling protocol PCB containing caulk after referendum, however, it became different. Now it is mandated that you need to test inside the building for these materials. When we did those tests it revealed all the additional hazardous materials. Ms. Purcell also mentioned that we are all aware of the security upgrades across the school construction industry to address upgrades wherever possible whether adding cameras, access control vestibules have now been incorporated into your design and those are not on the value engineering list. She stated that they ran into some issues with the underground utilities but we were not planning on repaving Eagle Drive and there were some plantings and landscape improvements that we just couldn't get away from. She explained that market was another item. The project was hit by higher than expected cost escalation in the market upswing and again out of that excerpt we have "in addition to the general escalation of construction costs, local market trends were also a significant factor. She explained that during the past few down years in Connecticut trade contractors reduced staff and workers; therefore many were not prepared for the upswing. Also, we had a delay in our bidding because of the PCBs and it delayed us six months because we had to go through EPA review. That delayed the bidding of this project and pushed it from spring to late fall 2013 after numerous other large school construction projects came out for bid. Excessive amount of work came out this past summer ahead of our job so we really got put into a position where the bids just came in at where they came in.

Councilor Hurley commented that is the biggest issue from what he saw. Ms. Purcell responded hazmat is a big one as well, \$4,000,000. Councilor Hurley commented that what brought this all about was that the bids came in and some of them doubled. Ms. Purcell commented that and, unfortunately, we had a bidder withdraw right away. That could be where the \$5.5 million dollar figure came from; the night of the bid opening because the very next morning we had a bid withdrawal that cost the project almost \$3 million dollars. Had that number held up it wouldn't have been as bad.

Ms. Purcell explained the contract status, we have let out 22 bid packages and we are all aware that Phase I had started construction. That is basically construction of the additions and some renovations of the buildings and includes the concrete; the hazmat for the entire project has been approved and awarded. She explained that the demolition as well and the structural steel for additions. Everything after that we are on hold as far as where the contracts are. We have received them, we have vetted most of them, the elevator we will have to rebid because there was an issue with his price but for the most part we have received all the bids for the rest of the trades.

Mr. Purcell explained when we were first going over costs while we were doing our estimating we needed to identify specific items that we could pull out to identify a specific cost for them. She explained that there are fourteen alternates but one of them is turning into a value

engineering item. The Building Committee is going to be asked to weigh in on which alternates we are going to proceed with--because that number I showed you is without alternates. She stated that the total value of the alternates is about \$1.5 million dollars and they are going to have to weigh in on which ones they actually want to accept.

Ms. Fortunato requested to stop and discuss some of the alternatives. She stated that these are items that they would like to include into the project and would like to get the Council's input on them. Ms. Fortunato explained that the Mezzanine is an item that has been talked about quite a bit, the increased asphalt thickness for the fire apparatus to be able to get around the building and have enough support there and this is at the request of the Fire Marshall. The track resurfacing provides additional work on the track and we can explain that further. They are all of relevance. Mr. Bridges commented that he believes those are the big four.

Ms. Latina asked if these things are out of the project right now and are we considering whether to put them in. Ms. Fortunato responded yes.

A question was asked to identify the specific amounts of some of the alternates specifically the Mezzanine. Ms. Purcell responded that the mezzanine is \$361,984.00.

Councilor Roberts asked if we will be receiving a copy of this presentation. Ms. Purcell responded yes.

Mr. Cascio asked what the cost estimate was going to be for the geothermal. Mr. Brymer responded that he thought it was \$1.2 million and then when that was done away with the Building Committee was told that it would save them roughly \$1,000,000 by not doing geothermal. Mr. Cascio asked if we estimated what it would save us over the term and noted others with geothermal are seeing savings, in their third school year. Ms. Fortunato responded that when it was taken out of the project, the project was redesigned. We are still going to achieve efficiencies. It has to be a high performance building. To go back and put the geothermal in at this point would involve redesign. Mr. Malik explained when the decision was made to remove geothermal it was the time when we either had to add \$1,000,000 to the project cost or eliminate geothermal. Because of additional design time as well as being two completely different systems, the decision was made to continue the project without the geothermal.

Mr. Cascio commented people still think they can put geothermal back in the project but right now, the design does not allow us to put it in and that's the answer.

Ms. Fortunato responded that it did reduce the budget so we did realize savings there.

Chairperson DeAngelo asked for the security upgrades and what the alternates are now that some of the cameras are coming out. How many have been reduced? Mr. Malik responded that it was about 1/3 of the cameras. He explained they originally started with about 50 or 60 cameras in the building. As we went through the process and when Sandy Hook occurred and we looked at some of the additional safeguards that we needed to add to the building, the count went up to

about 100 plus cameras and so as part of this process we sat down and looked at where we absolutely needed cameras. The rest of them were put into an upgrade category as an alternate. Ms. Latina asked is it just cameras? Mr. Malik responded that the entire infrastructure is part of the base bid. You can have cameras at any time. The goal was to make sure that the infrastructure is up-to-date and reflects what we want to happen. Ms. Latina asked where those cameras would go. Mr. Malik responded that there is a security office within the building so the cameras feed into it. There is also access for the police. If there is an incident occurring they can have direct access and know what is going within the building and monitor it as well.

Councilor Hurley commented he saw the bid for the auditorium mezzanine and he doesn't remember it being \$300,000. Ms. Purcell responded that is probably because the elevator number was missing in it. You didn't have the whole picture.

Ms. McDougall commented if we choose to eliminate these, based on her personal experience, it would be never be done, not ever addressed again. Her opinion is to weigh that and give it a lot of consideration.

Mr. Drake commented the only item on the list you can't add later is the mezzanine. The mezzanine will never come back. On that list, it is the one to focus on. You can always redo the asphalt which is paving. Mr. Drake stated if the mezzanine is the only one on the list that you really got to get, if we are going to do it. Mr. Malik commented the design is completely different with the mezzanine and without the mezzanine.

Mr. Forrest asked if there is a genuine demand for the increase capacity of the auditorium. Mr. Malik responded what is happening is the Code of the Town causes seats to be going down to what was there originally. The reason is because the existing facility does not address ADA [American Disabilities Act]. In order to accommodate the components of the regulations we will be decreasing the count at the orchestra level, the main level, from 800 down to about 640. The mezzanine will augment the seating capacity. We still won't get to the capacity we originally had. We are going to be at the 725-750 range, so by the time it is all said and done we are actually decreasing the seating count even with the mezzanine. It's a community facility and there are many events where there is not enough room. A discussion ensued regarding the mezzanine. Councilor Rell stated we gain just a handful of seats but we spend for the elevator. Mr. Malik responded yes.

Mr. Malik commented on the space standard waivers and explained that it has to do with the enrollment and space especially for a student number that is supplied by the state regulations and that comes out to about 180.5. He explained that it depends on the size of the building and number of students. We have about 1230 students in projected enrollment that bring us to an allowable square footage of 222,215. He explained as the building currently stands we are over our space standard and when you are over the space standard it has a negative effect on our reimbursement. In our case, the reimbursement impact is about 83% of what the going rate is which is roughly 51% and that is a fairly significant impact. He stated what is causing that impact is (1) Educational changes. Educational changes have to do with when this building was

finished. Most of this building was constructed in 1967. Between 1952 and 1967 the majority of this building was built and, all the major additions were in place. There was no such thing as special education. No requirements for special education at that time. There are a lot of educational impacts that we are now accommodating. Also we are accommodating the science programs and our language labs which weren't in play at that time. That has had an impact in the total square footage requirements within the building. (2) Other things we are dealing with are fire code, building code, and ADA [American Disabilities Act] changes. All of these have to be accommodated in this building. We are now adding space for secure vestibules as one enters the building. Finally the building had added changes to so many times in the past. It is very inefficient from a circulation point of view. We have developed a letter with the Superintendent that is going to the Commissioner of the DAS [Department of Administrative Services] laying out all these issues that are inherent to this building. Pointing out why we shouldn't be penalized for the additional square footage. In order to accommodate the educational specs, what has happened is these additions have occurred, space within the building has been repurposed to accommodate all of these code requirements so as a result we are now over. It is about an eight-page letter, attachments [probably 27 or 28 sheets of plans] that depict the overages and how it's occurring. That will all go to the Commissioner. There will be a decision made in terms of getting the standard space waiver. This is something that is granted all the time. The extent of it is the question of how much you would be getting with that.

Councilor Hurley asked when they would submit it and how long would take. Mr. Malik responded that the documentation is complete. This is a two-step process. Mr. Malik asked Ms. Fortunato to explain.

Ms. Fortunato explained that the application has been prepared by the Superintendent with the Architect. However, prior to that being submitted to the Department of Education and Administrative Services, they have a tentative meeting set for the first week of February with the Commissioner of Administrative Services that has been facilitated by our delegation; then we will meet with the Commissioner to discuss what our needs are. We will outline the standard waiver that we will be seeking, certainly if we could receive 100% that would be ideal. If that is not granted, then an option becomes the delegation introducing legislation that would allow the Commissioner to grant the full waiver.

Mr. Malik explained that if the full amount of the waiver is granted right now it would justify something like 58,000 square feet; we are over by about 45,000 square feet or so. If that is granted in full, then the next increase of reimbursement from the State would be \$10 to \$11 million dollars.

Councilor Hurley asked if they have seen other towns do this and how much do they usually get.

Mr. Malik responded that there are two processes. The application through the Commissioner of DAS [Department of Administrative Services] we can receive anywhere between 15 - 65% reimbursement. Through the legislative process, the waiver, which is done all the time, it is a 100%. Mr. Malik commented that Berlin and some other communities were an example of

receiving this waiver.

A question was asked when the date of the meeting will be. Ms. Fortunato responded that it is being confirmed for the first week of February but does not want to give the date until it is confirmed.

A question was asked if we have a timeframe they will have to decide whether it is a yes or a no. Ms. Fortunato responded it will be at the end of the legislative session in May and the Commissioner of DAS [Department of Administrative Services] it would be at his discretion. Ms. Fortunato commented that it is the benefit of the short session that we should be able to get that decision.

Councilor Kotkin asked if there are high school projects that manage to stay within their square footage or is that unusual. Mr. Malik responded that it is unusual. Councilor Kotkin commented the rule of creating the maximum area of square feet sounds archaic for what is required of high schools today. Mr. Malik responded that is absolutely correct except for new buildings.

Ms. Purcell next explained the options that we are considering with the building committee. She explained that the first one is Option 1 which is to proceed, to keep going. It is to incorporate the value engineering changes that will be approved by the building committee. It is to borrow funds. We have certain line items where we don't need the dollars right away in order to start construction such as Furniture, Fittings & Equipment technology. Those are expenditures that happen towards the completion of the first phase of construction. There is also the construction contingency. The project is still carrying our total project costs of 5% for construction contingency. That five percent is not needed for the first six months of a project. We could set those funds aside and we could also delay the award of bids for the roofing. Ms. Purcell explained that when we had the roofing bid come in we had them give us two prices. One price is to get us through all the work this summer. And next, what's the value of everything after the summer. If we only award what we needed right away and held off on the food service equipment, which is about \$718,000, we can set enough monies aside to award all of the contracts to date, continue construction and stay on the overall construction completion schedule. We have projected at September 30, 2016. Ms. Purcell commented that she doesn't know if there is another way of getting the extra monies and not having to go out for referendum but we are talking about this full space standards waiver would completely offset the additional costs of the project as far as the town taxpayers are concerned but you would want to apply that to the overall project so you need to increase the project cost to be able to spend here so you need to still get approval to be able to spend that extra money.

Ms. Fortunato asked Mr. Bridges to explain the Charter and receiving those funds from the State.

Mr. Bridges explained that the original referendum cost was roughly \$75,000,000 and the way it was approved, the way our local Charter does things that is the maximum we can spend on this project. Any grant that we got from the State of Connecticut lowers that number for the Town's share so based upon the original allocation grant funds to the town we were going to spend

\$44,000,000 on the project. So if we get the space waiver, our reimbursement would increase roughly \$10,000,000 so in order for us to spend that \$10,000,000, we need to increase the total appropriation to \$84,000,000 and that would be the question. Can the Town of Wethersfield spend \$84,000,000 renovating the high school, but the \$44,000,000 would still be the \$44,000,000.

Mr. Bridges commented it's basically the deletion of the space penalty and allows us to seek that extra reimbursement and apply it to the project.

Councilor Roberts asked which would come first, we would get the \$10,000,000 and then we do the referendum.

Mr. Bridges commented that is one of the things on the table.

Councilor Hurley commented that if we didn't do all that stuff, if we took out contingency but then we needed it and we didn't get the money, then we would be stuck, so Option 1 doesn't seem that good to me. It seems like a pretty bad option.

A question was asked that with our value engineering that we did back in September, we did reduce the FF&E budget already, did we not. Mr. Purcell responded correct, we took a little over \$290,000 to help offset construction costs and that is in these numbers.

Ms. Purcell explained that the Second Option has a 2a and 2b and the theory is to just continue to complete the additions and there are two groups of this. (2a) One would be to just enclose the additions, put up what we call the skin of the addition, masonry walls, roof, and windows, just to get the steel enclosed and end it at that. So we would continue with the value engineering, we would have to revise the documents as they exist now and actually rebid because you just can't award a portion of the work based on the bids that we've received now. She explained this would actually involve basically repackaging what we just did to get the numbers separated and then only proceed with the rest of the work; the renovations and everything after once you have the money in hand. So we would have a schedule impact of instead of September 30, 2016 about November 15, 2016. Mr. Purcell stated that she is basing it on a referendum approval in June of 2014. If the referendum goes faster, then we can have less of an overall delay. She explained (2b) would be to complete the additions instead of just enclosing them. It was to actually finish the addition so that they are usable. Again it involves revising the documents, rebidding them and proceed only with completing the additions while you are waiting for the rest of it to come into play. Again based on our referendum in June, we have a completion of November 15th, there is not much difference in the schedule with either one of those.

Ms. Fortunato pointed out that with all three of these options, there is a referendum involved and the only way to avoid referendum as if there is an outright appropriation by the legislature and it would have to be for specific items to the project. We couldn't just receive dollars and apply it, we would have to identify where it would go.

A question was asked if that was going to be taken into consideration. Ms. Fortunato responded yes, it is being taken into consideration.

Ms. Purcell explained Option 3 is the project on hold. It would be your most expensive option. Ms. Fortunato commented what that means is the figure we talked about at the beginning of the meeting is really based on Option 1 at this point. If we were to hold off, the cost would go up with the cost of labor and materials, etc. Ms. Purcell explained that we would continue with our value engineering discussions, we would rebid the project and then we would just hold off on everything. In other words, we don't finish the additions, we end with the Phase I work until that ends. Then we wait until we get the rest of the money in hand and the impact of this would actually throw us off a year.

Ms. Purcell explained that with Option 4 if we had to Reprogram and Redesign to within the current funds that were available in that particular case we would have to do a significant amount of programming and redesign including revisiting and revising the educational specifications. She added we would have to go through the office school facilities process again for review and approval. It would be in effect a different project and then rebidding and again having the same impact as far as the end completion being one year.

Ms. Fortunato commented that one of the considerations is that the board is being monitored for OCR [Office of Civil Rights] compliance. We need to make those changes quickly as there is always the potential the Town could be fined as long as those items are not corrected. It's an unknown. Ms. Fortunato asked for any other options that have not been considered.

Councilor Hurley asked if we go with that option [that we just close off the additions] would there be parts that would just be undone that the students would be walking through. Ms. Fortunato commented that we would not have renovated the building so we would not have corrected the OCR violations. Councilor Hurley asked why is that option out there. Ms. Purcell commented that we are just putting it on the table. A Board member asked to clarify what OCR represents. Ms. Fortunato responded Office of Civil Rights.

Mr. Drake commented that he assumes that we are going to get the money from the State. They received a square foot waiver for Silas Deane Middle School. They didn't ask for more money through referendum because they were under budget. It was just less the town had to pay. He can't imagine them not giving a fair amount of money. What happens if the referendum fails? How do you make a decision based on getting \$6 or \$7 million dollars on a design that would keep on going? What happens in June if it gets voted down? That is the bigger risk and there is a risk. People really don't understand that it's really not costing them any money but then what do you do, how do you pull back. Ms. Fortunato commented that the education of the public is going to be really critical. The only way not to go to the public is if we can get funding directly. Frankly the last option, basically going back to the drawing board, there will be additional costs for that. Mr. Drake commented we start to do the referendum now; get everything now. Start to educate the public with the assumption we are going to get a fair amount of money from the State.

Councilor Roberts commented that she thinks it would be really hard to sell a referendum with no guarantee that we are getting the money.

Mayor Montinieri commented that they have been discussing this with several members of the delegation over the last three weeks. The current delegation [Senators Fonfara and Doyle, Representatives Morin, and Guerrera] have been alerted to the space waiver. This is the most obvious easy path to having sufficient funding to completing the project. The range of approval is from 65% to 80% or even 100% [which is not quite as likely]. He explained it has happened as a matter of course with a dozen schools within the last three years. The policy came from the size of the footprint which is based on new construction. As schools were being considered for new construction, they identified efficiencies in this timeframe that established that footprint. It gives great credence to us because we are renovating as new but we are confined to that same footprint multiplier. It gives a lot of credit to the hardship created by having to be forced into a footprint that exists now. Clearly, it is one of the arguments they will make to Department of Administrative Services. Obviously we are moving quickly to have that meeting in the next two weeks with the intention that we are going to get an immediate pulse from that Commissioner as of the likelihood of that happening. They certainly understand the pressure. Mr. Montinieri suspects that in two or three weeks we will have a pretty good indication if the space waiver is viable. The delegation members are also saying that if that space waiver was to not go well, they are very committed to going to the legislature now in considering a full coverage through legislative approval. The full legislative approval outside of the waiver would not require a referendum because the funding would come directly from the legislature. It would not change our formulas or our expansion. We would look at the line items to see how money was spent to reduce our piece and stay within the confines of the project costs of the referendum. It's one of the things the delegation is actually looking toward because of the simplicity of avoiding the referendum. Both of those things are happening simultaneously in light of this information. The legislative pulse is generally positive. Obviously, we need to have all the players together to have some confidence that we have a decision that is going to be in our favor. Those things are going to happen pretty quickly. He commented that we did talk about the last option: to go out to referendum now for the full amount that we are over and ask the voters to up the number. That's a higher climb. You really don't want to do that when you have these other things pending that may be viable. That's why we are pushing this envelope for time. The idea is to have any answer within three weeks from Department of Administrative Services that identifies the waiver. Whatever piece that is not answered, the legislature can go to work. We can then address the timing. To David's point, we are not going to stretch this too far because the referendum preparation has to happen in a timely fashion. If we get negative indications in the next two weeks and we don't see it going very well then we are going to move toward probably going to the public for referendum on the greater question in getting the funds. The folks that have been talking to us are saying the delays in the other options are very unattractive financially. They will only worsen our story at the end of the day. Mayor Montinieri thinks most people will probably understand if we got to the point of explanation. Obviously, it is conjecture on what the tolerance level in the town is going to be for that, but clearly delays and rebidding in this climate as the economy is heating up is only going to get harder. There is no indication that this is going to

slow down and improve and there is no likelihood that we are going to out on major pieces of this project and get a favorable response financially. We are seeing that already. Everybody that we are talking with has information and is knowledgeable is saying this is about the best number we are going to see. He stated that the good news is even though this is a big number, space waiver could accommodate it, it's probably the hardest number if we make a commitment now and it won't get worse if we commit because he is busy around the table and we are doing the value engineering. The question about the additional 1.5 in the additions should be addressed. If the waiver goes our way, we will have some wiggle so we could work. We have contingency and that will be a secondary question. To the point of how we want to proceed, I would tell you that we should have a pretty good indication from those meetings in three weeks. If those things are generally positive or go well we may get an immediate indication from the Commissioner that he is going to provide this waiver and sign off on it. The delegation is saying based on the relationship and the history it will be a much better story and we will go forward. It is delicate. The public's concern remains to be seen. There is an educational component for the public. It is a little hard to understand as we've explained and understand it. A space waiver would accommodate the overage. The process of crafting a referendum language would center almost entirely on the message that we are not impacting local tax payers we are addressing an overage and waiver formula that meets the need for our building structure. Mayor Montinieri stated crafting the question, putting it together, obviously moving quickly to get it out there we could get this community pretty quickly to get behind the reality. Other options are clearly unattractive. At the end of the day, residents are going to get hurt if we don't get this done so these waivers are very critical. He explained that there is a lot of precedence, a dozen or so in the last three years or so that have happened. He stated that it's not a standard thing but it does happen and it has happened with regularity. Our problem is more significant in light of the PCB and the asbestos. That is something the legislative body is very committed to resolving. Mayor Montinieri stated that we are putting all those gears in play. It is a concerning question but he thinks we are moving toward the right answer for the benefit of what the community needs. We are doing everything that we need to do with all the right players behind it. We have a small window to get an answer, we all understand that and they are engaged and working toward it.

Councilor Hurley asked when would be the last that we could approve the bids. Ms. Purcell responded that we told everybody to hold their bids for 90 days so we had a couple come in at the end of November and most of them came in at the beginning in December so we are 90 days from there, so towards the end of February is when they are expiring.

Mayor Montinieri commented they are thinking February 15th as their timeline. One other thing they did talk about is to look at the layout of the spaces and about pulling out pieces that could be started later so we stay on track with the schedule. Complete some phases now and have those back projects buy a little time to get this part of it done. Knowing that number would still be the same we might shift where we are doing the work. They haven't spent much time on it yet but that's an alternative that has been discussed. Mayor Montinieri commented that it might be ok if we can stay with the current bids. We can go back and say we are going to shift one major piece of the project and put it later like the auditorium for example.

Councilor Hurley commented we are still guessing that we are going to get this, right. Mayor Montinieri commented that the question is do you take the pieces that are in play now and finish them like closing up these building parts. Yes, there is an element of gamble, no question, but you're saying if you take that piece and put it on in Phase 3, it is still getting done within the same timeframe but you're saying you are not going to initiate that piece which might be \$7-\$8 million of it. That is going to get looked at as well but is less attractive. We are looking at every avenue.

Deputy Mayor Barry asked if it is the hope the Building Committee will be able to come up with an option they can embrace on Monday. Ms. Fortunato responded that she hopes to get more information from the delegation and we still have the value engineering information coming into see us. A discussion ensued regarding the timing of a decision on the options available and educating the public on a referendum. Mayor Montinieri commented the Town Council as the elected body has to make that decision.

Deputy Mayor Barry asked when a decision has to be made. Ms. Purcell responded the February timeframe will work to keep us going with this first Option if that is the way we want to go; it will help with the option 2A and 2B mitigating the delay. Mayor Montinieri responded if we got negative vibes this first week in February we will be talking about whether we want to get a full referendum passed for the number with the Town. I think that is the more likely scenario. I don't see us stopping the project. Deputy Mayor Barry commented nor do I.

Ms. Fortunato commented that the timing is everything and each option takes times to do the design work.

Councilor Hurley asked what if we don't get the \$10 million. Are there parts that we could just cut off? Mayor Montinieri responded no, he didn't think so. We can't get that kind of number out of it.

Councilor Hurley asked how we can go forward with something hoping we can pay for it. Mayor Montinieri asked you mean if we don't get the space waiver and we are crafting a referendum to be run in April, May, or June, what do we do? Yes, then we have to have more discussion.

Mr. Drake commented this is why we have to start the motions right now with the referendum so we can be prepared to move.

Mayor Montinieri commented that it's a catch 22. We definitely have to have more discussion about that if that is the scenario, not that there is an element of gamble involved but the reality is that there are big chunks of this project that are going to come to a screeching halt if all of this doesn't work. It's not a good story if it goes that way, but that's part of the education of the community. Mayor Montinieri commented this isn't the first time that town's have seen this happen where project numbers change. He asked are the voters in this town going to leave a building unfinished. That is a question that all of us could all think about. It's not a great situation but it is something we have to solve altogether. He suspects that our community will

say, when we look at our total number here as a percentage, are we going to let that happen. It's part of the educational piece of it for the public, but we will face it, but we have to have more dialogue.

Councilor Roberts commented that she thinks we need to have more specifics.

Councilor Montinieri commented that all these things are moving at the same time but thinks that we will have closure on some of them in the next few weeks.

Councilor Rell questioned the overages in the increased security upgrades post Sandy Hook, PCBs and asbestos, and asked if they were broken down individually or what those three overages total.

Ms. Purcell responded that she only has hazardous materials as a group and it includes asbestos. They also ran into some fuel oil polluted soils in the outside back of the building and the PCB's and that is just short of \$4 million.

Councilor Rell asked if that was unknown to the building committee prior to shovel in the ground. Mayor Montinieri responded that it is an increase from the projection. Ms. Purcell commented there are also the security upgrades that are at \$350,000.

Councilor Rell asked if the \$350,000 is a mandate from the State post Sandy Hook. Mayor Montinieri responded correct. Councilor Rell asked if there are any additional funds coming from the State to Wethersfield for security. Superintendent Emmett responded that at this point in time Wethersfield did apply for the Safety Grant Round One. There was a total of \$5 million that was being allocated to the State. We received approximately \$171,000 total which we did not apply to the High School but we applied to our other buildings in town. It's a reimbursable grant so we received about 57.5% reimbursement on that so we received approximately \$98,000 in reimbursement. Superintendent Emmett stated that at this point in time, he has not heard anything definitive in terms of allocation for round two but we have to assume it is going to be approximately \$5 million dollars and be open to everybody in the State.

Mr. Malik asked to provide some additional information on two things. If we take that \$10 million number and say we are increasing the project cost by \$10 million and there is no additional space standard waiver, that \$10 million is still eligible for the reimbursement that we are getting so it's not the total \$10 million dollar cost to the Town it will be a lesser amount something like \$5 or \$6 million dollar impact on the town. The other thing is that he cautions in terms of looking at scenarios where we are just not going to do anything and pull back the scope of the project. As a renovation status project you have to meet some criteria and if you don't then that reimbursement is severely impacted. So the \$30 million or so if we were looking at getting would be drastically reduced. We would have to evaluate what happens if we don't proceed and do this additional work we may find that the net cost to the Town is greater.

Mr. Drake asked if that is because we are not renovating as new anymore we are just doing a

renovation. Mr. Malek responded yes, you will get hit very severely with all the mechanicals become ineligible and that's 1/3 of the project cost. So if those sorts of things do become to happen then it would be disastrous. Mayor Montinieri commented it is important the delegation has all those arguments ready and have been discussing them. They clearly understand what we are facing and that failure to respond on the part of the State creates a potential disastrous situation. It's a big pressure to get them to move off the dime on this and again there is a lot of precedent with it, so we are reasonably optimistic they are going to get the result.

Councilor Hemmann asked when you look at the timeframe for referendum what is the minimum timing. Is it 60 days? Ms. Sassano responded 45. Ms. Hemmann commented that you can take more time than that.

Ms. Latina asked Lorel what dollar amount she estimated for the market conditions.

Ms. Purcell responded that market conditions were in excess of \$2 million.

Ms. Latina commented from the lay mans perspective if there is precedence that this has happened to other towns where they are over by this amount. Is this the only time we are going to be over by this amount or going forward are we fearful that this is going to happen again.

Ms. Purcell responded that if we were going to do option 1 which is to proceed with the bids on hand, then we know that this is the number. Any of the other options that involve rebidding, it hasn't gone out to bidding yet, so it is not necessarily the number.

Mayor Montinieri commented that we discussed that with the delegation as well. If we had to stop, the timeframe is backing in from this date so, if we have to go back and look at dates, they know that number may not be the full number.

Ms. Latina asked if \$10 million dollars is normal to be over. Ms. Purcell responded no and stated that this is an anomaly.

Councilor Hurley asked if the estimation was just bad. Ms. Purcell responded she thinks it was a number of factors that just compounded and piled up. It just turned into a large number in the end because again, when the bids were open, the very next day we had another \$3 million, so we would be talking about \$7 million bad. It is just a compilation of the scenario of what happened.

We started with the PCB's and it just compounded from there. Councilor Hurley commented those estimates just seem like that was a big deal like the building committee hired you guys to do that estimation for us and it just seems like they went way over.

Ms. Purcell said, unfortunately, the most important estimate to be done is the estimate that is done at referendum. That is when you have the least amount of information available to you about the building. So that is the most important estimate, yet you have the least amount of information and we usually use historical data. We build lots of schools and we know what it costs to build a school.

Ms. Fortunato commented to keep in mind that we have a contingency and the contingency had to be used for the additional testing we had to do with the discovery of the PCBs.

Ms. Purcell commented on the hazardous materials consultant, his value is \$500,000. We did not have that at referendum. We only carried \$150,000 because that is what's normal.

Ms. Fortunato commented we were confident in the testing that was done pre-referendum. Looking at the age of the building and the fact it had been renovated, I would say with this renovation we are taking care of every item. There shouldn't be any issue going forward. If there is asbestos, we are finding it and taking care of it. In the case of the oil tank out back that was not removed in the last renovation and was discovered and we are taking it out so that with projects in the future, those items won't be there. I don't know if anybody else wants to comment on that but there have been a few discoveries that I think we were surprised had not been resolved in the last renovation and it may in fact have been a budgetary issue so take care of it now.

Ms. McDougall commented she is getting a lot of questions around town about why the overage, so based on what you are telling me here tonight I can summarize it by saying that there are two primary reasons. One is the hazardous issues that have recently come to light and the market bidding issues. For the hazardous issues for the PCBs and the asbestos what people are asking me is if you have an old house and you know you need to do some renovations, you probably know that there is going to be some lead paint there. Didn't we test for this ahead of time? Did the rules change along the way?

Mayor Montinieri responded that one example that he sat in on and it was really significant and it related to the PCB issue was the caulking around the window. Mike Turner explained the estimates looked at a certain amount of cost to remove the caulking but the rule changed a little in the process in the sense they started talking about leaching into bricks which was not originally a factor. The standard has been raised and elevated to the State who is saying at the Department of Environmental Protection level no you can't just take the caulking out and consider it done. You are going to test and take it back [to the bricks] and accommodate leaching which is frankly a pretty low risk but now they are raising the bar. That was implemented after the original engineering was done to be fair. That is one big example and that was a big number when it was done and it raised the number significantly so there are a lot of factors. Mayor Montinieri commented that it doesn't dismiss what Mike is saying though. There have been a lot of raised eyebrows about the miss, and there are some big misses, but we are dealt that card and we have to deal with it. It's not like we can change that number but the fact is we've got to go fix it.

Ms. Fortunato commented that we did testing prior to the referendum. If we were to go through and do full building testing pre-referendum, the cost was estimated in excess of \$300,000 and it is not reimbursable. So we would need the Town putting that money up beforehand.

Ms. McDougall commented so I can say to people routine testing for hazardous materials and

based the estimate that we had on that and then you go in and standards change and you find things that you didn't know about.

Mr. Malik commented that at one point we were carrying more money in the estimate and some of the test results came back showing negative results in certain areas and we reduced the abatement budget because everybody thought ok we tested and the numbers have actually come down so we were actually reducing it from \$1.5 million to \$500,000.

Mr. Forrest suggested to run the \$10 or \$11 million dollars straight through the town budget right through the CIAC [Capital Improvements Advisory Committee] coming up in May, you don't have to go through referendum and you can back out whatever costs out of this thing to pay for a parking lot or whatever \$10 million and just say the town will take care of that. That will accept the grant on one side and spend it on the other and no referendum. It's an idea but just food for thought.

A question was asked if the Charter still allows for budget referendum. Mr. Forrest responded it shouldn't for that process. We spend millions through CIP on a regular basis. Mr. Bridges commented that there is no budget referendum and as long as you put it in the budget there is no way to referendum a budget. If it was a special appropriation or the group today said we are going to throw \$10 million dollars at it tomorrow that would be a special appropriation. Mr. Drake asked if we have to pay it within one year. Mr. Forrest responded if you received a \$10 million dollar grant once, it would be a wash in our budget you would be receiving \$10 M from the State and then just spending it. Mr. Bridges commented no because it would be a reimbursement. No because it's a reimbursement, they don't write you a check. After you do the work, then you get reimbursed.

Mr. Carey asked if the asbestos has been taken care of in the gym at the high school at this point. Mr. Malik responded yes that is being scheduled for February.

Councilor Kotkin asked if there are other bids that are still to come or are we done? Mr. Montinieri responded that the bids are in and that is why if we stay with this schedule it is a real number.

Deputy Mayor Barry asked if we chose any other option but option 1 though, that is not the case, right. Mayer Montinieri responded that you do expose that, no question.

Ms. Latina commented that Rusty said that prior to referendum there were some tests that came back lower than you thought on hazardous materials. So how do we find ourselves in the position of spending \$4 million dollars more in the end? Mr. Malik commented at the time the caulking at the windows was tested and the consultant came in and did tests on the windows, not every window, but the ones that they tested many of them showed non detected so when we got an evaluation from the consultant and they said you can really carry a lesser amount for the estimate but subsequent to that when we started testing the rest of the building some of the regulations about testing the flooring, that's when we discovered the paint, the flooring which is

not normal so as a result of testing the flooring we are having to take up the entire floor which was replaced in the 1992 renovation and take the PCBs out which is something that was never expected. Ms. Purcell commented that in part of the building it is in the paint so when they tested the paint on the walls they found that it was in excess of 1 ppm, which is your trigger, now the entire wall needs to get demolished because you can't separate paint from the block. So now the entire wall needs to be demolished and rebuilt when that was not considered in the referendum. Ms. Latina questioned that those things weren't tested prior. Ms. Purcell responded correct.

Mr. Malik commented it was tested prior to what was normal to test. Mr. Purcell commented back then it was just caulking and now the shift is to all building materials inside the building. Ms. Latina commented that literally changed before referendum to after referendum. Ms. Purcell responded yes, this PCB issue is a very new issue and has only been going on for the last two years where schools are being caught in the PCB.

Ms. Latina asked is it the Department of Environmental Protection who is changing the standard.

Ms. Purcell responded yes it is the EPA and CT DEP, the two of them, so anything that is greater than 1 ppm which people would have in all their houses who have houses from 1979, you all have this paint, because it's a great plaster sizing.

Ms. Latina commented that she is personally upset at this whole thing because of this much overture and agrees that we need to work together to get this solution done but that it is disappointing.

Councilor Roberts commented that she doesn't think that anyone in this room would disagree with that characterization, but the fact is we are in this situation and we have a pile of dirt now at the high school and we have to figure it out how to get the thing done.

Mayor Montinieri commented obviously, all the elected officials in this room, the Board as well as those who have a vested stake in this; we have a responsibility to educate our taxpayers. Our taxpayers are the ones that are paying for this. They changed the table almost a year ago now and supported this project as we estimated it to be. A pretty good number, recognizing that we have a high school that desperately needs to be brought up-to-speed and our community, I suspect, will not be any happier about this than are we. It is not a good story but at the end of the day we've got to get this project done correctly. Mayor Montinieri commented the goal for us as elected officials is to educate our community, the people we serve and say we got a story here the parameters are laid out. We need guidance from our taxpayers by virtue of feedback, information and potentially a referendum so we have some work to do. We are not going to be able to change this number and commented that the story is the story and it can only get worse. We have to go back out there and talk with the people that are putting their hands in their pockets to pay for this project. Get some guidance from them -- sooner rather than later. That is our task and at the end of the day we are going to have this high school done the way it is supposed to be done. He stated that there is really little choice in his mind. The public is not going to sit through this kind

of detail; they are going to get a brush stroke. We need to get out there and do our jobs whether it's the WSBC, the PTO's and talking with our community, obviously our taxpayers, I'm sure there is a lot of taxpayers that will be speaking with the Council. We have a lot of work to do.

Councilor Roberts commented that the only option though is to keep going and I think parents who have kids in the high school now, in their heads are like okay. We can tolerate this for three years to get it done. If we start extending the timeframe to make it four years or five years, the kids are going through this chaos, I don't think that's going to fly either.

Ms. Fortunato commented that if I could just also acknowledge the building committee members as we talk about the elected officials, the volunteers, the building committee really worked hard. Obviously, taking in this information and to have shared the same concerns that have been voiced by others here, they have been conveyed to our consultants. We need to go through this process to get the number where you know we are at a point, where we are saying, this is what we have for you. She stated people are working diligently to address the situation but to keep this project going and we do have a project that is going right now. It is on schedule and we are making great strides so that is the positive side of all of this, that we do have a renovation underway and if you have the opportunity to see what is happening there, it's quite impressive. When you look at shutting down the project, you look at what's already been started and the committee understands the responsibility. We don't take it lightly, the responsibility that we have to the project, to all of you, to the parents, to the children and to the staff as well.

Councilor Hurley asked if the total that we are off is \$11.9 million it looks like without getting into all the details. Ms. Fortunato responded that's with the alternates with no value engineering. Councilor Hurley asked what the total is we could possibly get from the state. Mayor Montinieri responded that the footprint waiver is up to \$12 million depending on how that's formulated. It could potentially cover the whole thing and it's roughly close. A comment was made that it could be \$10 to \$11 million according to the slide.

Councilor Kotkin commented if we got \$6 million would we still, to Rusty's point the other \$4 or \$5 would that still be subject to state reimbursement. Mayor Montinieri responded correct. I would think that if we got \$6 million from the waiver, we would drill into value engineering and get a piece of it there and close the gap.

Mr. Drake commented that we could still possibly with the security and PCPs, we could claim money outside the square. These are two pieces; you could pick up \$2 or \$3 million here or there.

Mayor Montinieri commented that Russ said that if we got \$5M or \$6M from the footprint waiver and we had to get another \$3M or \$4M at the legislative level, it would be an easier climb and that would not require a referendum. All of those plans are happening simultaneously and we are all going after it.

Mr. Drake asked if Lorel should go back to some of these key vendors and try to extend the 90

days and get a commitment saying we may be 30 days off, can you hold it. Mr. Drake stated that he can't imagine the vendors are going walk away from a nice project for 30 days and just wonders if you should start to put that in place.

Ms. Steinmiller-Paradise commented that what Paul said is absolutely accurate and that we have to proceed, no question, it's for the children of the town and what the Board of Education is all about for the students needs. She asked for an email or something to come out after the meeting with the legislatures to let everyone know of the tone from that meeting. Mayor Montinieri commented that the Superintendent or the Town Manager will be leading all that as it unfolds.

Mr. Cascio commented when this project began we were all there. He doesn't think you can ever bring those countless hours the building committee has put in the project. He believes the community thanks the building committee for their hard work that they have been doing on this project. It is not an easy thing to do. He stated with any project whether it is renovating a kitchen and or a high school, you are going to run into dilemmas, but I think when we started this project we were all over the place. We reached out to the schools, the senior citizens, we went on TV and we just found out a way to educate our citizens and we had to go back to the basics for the education just to say this is what's happening and this is the way we are going to go.

Ms. Fortunato commented what the difference now is that it was theoretical. Today, you can show the pictures and show the progress of what's taking place there so why would you not want to support the completion and have a flagship building that you've taken care of the environmental issues and maintenance going forward, that's certainly what we all want.

Deputy Mayor Barry commented that this building just doesn't serve as a school. It obviously serves the community as well in a number of different ways. The pool and the auditorium when it is done will be used by a number of groups outside the actual school. It's also an area shelter. It certainly has many uses to the community at large and everyone in this room knows that the building has to be done and has to be done well and it's our responsibility also to educate as to how we have to move forward.

Mayor Montinieri commented that he believes that it is also okay to take some heat from the public, it's deserved.

Deputy Mayor Barry agreed with Mayor Montinieri and commented that there will be time to say why we are here but we have to deal with where we are and go forward. If we take heat that's fine but I think it has to be done.

Councilor Roberts commented just to give the building committee some direction for next week is it fair to say as a group that we are in favor of option 1 to proceed that we have consensus on that. Some members of the group commented no. Councilor Roberts asked what the options were then. Ms. Fortunato commented that she would like to go back and digest it because there is a lot of information. Councilor Hurley suggested that they come back to them with what's happening with the legislation.

Mayor Montinieri commented we have a small window of tolerance before we say that but it's small but I think we have tendency toward one but I'd rather take that window if we can. If the window closes then, if not good, then we'll talk about it. We are talking about two weeks here and we'll have an indication I think. It won't be 100% but we'll have a gut check that will say this looks fine, we are going to be okay and then I think we will be better served to make that decision.

A question was asked what are day we talking for a referendum. Mayor Montinieri asked if it's the space waiver, we will be probably talking about June. If we are going back and asking residents to ante up for the difference if we don't have luck it could be a little later but we would have to reposition the phases. It has to be before school gets out. Mayor Montinieri commented that we are not stopping anything right now, we are moving, we just don't want to over appropriate. He commented that he appreciates everyone getting together and will keep everyone informed as to how we are doing and stated that they are working behind the scenes very hard and they know what's at stake.

ADJOURNMENT

At 9:02 p.m., Councilor Kotkin moved "**TO ADJOURN THE MEETING**" seconded by Councilor Roberts. All Councilors present, including the Chairperson voted AYE. The motion passed 8-0-0.

Dolores G. Sassano
Town Clerk

Approved by Vote of Council
February 18, 2014